

Timothy M. Stubson [#6-3144]
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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF WYOMING

NEPCO FUND II LLC,)	
)	
Plaintiff,)	
)	
vs.)	Civil Action No. 12-CV-246-F
)	
MICHAEL V. DeFELICE, and)	
BABETTE DeFELICE)	
)	
Defendants.)	

NEPCO’S MOTION FOR SUMMARY JUDGMENT

COMES NOW the Plaintiff, NEPCO Fund II LLC ("NEPCO"), by and through its undersigned attorneys, Crowley Fleck PLLP, pursuant to Rule 56 of the Federal Rules of Civil Procedure and herein submits its *Motion for Summary Judgment*. The motion is appropriate at this time, and the grounds for this motion are as follows:

1. Fed. R. Civ. P. 56(b) states “a party may file a motion for summary judgment at any time until 30 days after the close of all discovery.”
2. Fed. R. Civ. P. 56(a) provides “The court shall grant summary judgment if the movant shows that there is no genuine dispute as to any material fact and the movant is entitled to judgment as a matter of law.”

3. For those reasons more particularly stated in NEPCO's *Brief in Support of Its Motion for Summary Judgment* filed contemporaneously herewith, NEPCO is entitled to summary judgment because there are no genuine issues of material fact.

WHEREFORE, NEPCO prays for an order granting its *Motion for Summary Judgment* and entering judgment against Defendants Michael V. DeFelice and Babette DeFelice, jointly and severally, for the remaining principal loan balance, accrued interest, attorney's fees, costs of collection and other amounts recoverable by NEPCO under the loan documents.

DATED this 3rd day of January, 2013.

/s/ Timothy M. Stubson
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Certificate of Service

The undersigned hereby certifies that on the 3rd day of January, 2013, the above and foregoing document was served upon counsel by electronic filing.

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/s/ Timothy M. Stubson _____
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